

Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington, D.C. 20554

**In the Matter of**

**Amendment of Part 97 of the  
Commission's Amateur Radio Service  
Rules to Facilitate High-Frequency  
Data Communications**

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**RM- \_\_\_\_\_**

**To: The Chief, Wireless Telecommunications Bureau  
Via: Office of the Secretary**

**PETITION FOR RULEMAKING**

Janis Carson, amateur radio service licensee AB2RA since 1959, and ARRL member for over 40 years, pursuant to Section 1.405 of the Commission's Rules (47 C.F.R. §1.405), hereby respectfully requests that the Commission issue a *Notice of Proposed Rule Making* at an early date, proposing to modify only one section of Part 97 of the Commission's Rules governing the Amateur Radio Service as specified in the CONCLUSION paragraph herein. The rule changes proposed herein would appropriately facilitate Amateur Radio Emergency communications using modern High Frequency (HF) data transmission modes and protocols by making minimal but necessary changes in the RACES rules governing HF Amateur bands. At the same time, the rule changes would not have any impact on the non-RACES current uses, emission types, or band segment allocations in Sections 97.301 of the Commission's Rules, nor would they have any impact on ongoing Rule Making regarding amateur HF DATA emissions or band segment assignments. The changes allowed by this petition would only be open to RACES users, not the general amateur radio service. *The rule changes proposed herein are the simplest and most direct method to implement permanently the steps taken during the recent Puerto Rico relief work, under a STA (Special Temporary Authorization).* These recent Puerto Rico Emergency communications operations earned praise from Chairman Ajit Pai. *It also eliminates the need for the FCC to micro manage digital emission types for RACES purposes.*

**I. INTRODUCTION.**

1. This Petition for Rule Making seeks the modification of the Part 97 rules in the following respects only: This proposal accomplishes modern HF high speed DATA transmissions for Emergency Communications, without impact to ANY existing rules, other than adding a paragraph to §97.407 Radio amateur civil emergency service.
2. The open regulatory proposals stem from ARRL's Petition for Rule Making RM-11708 and RM-11759, and the FCC's own proposal, WT 16-239 (which abolishes all band width limits for DATA emissions on the HF bands). These Rule Making proceedings have been active since 2013 and have not yet been acted on. There have been vitriolic comments opposing implementing the current version of WT 16-239. I have filed a petition to dismiss or stay WT 16-239 as currently written, because it fails to implement the request of ARRL, the original petitioner, and extends beyond the scope of ARRL's petition. In addition, I have pointed out discrepancies in FCC's WT 16-239, which abolishes band width limits on HF while keeping them on VHF and UHF band allocations, with many undesirable consequences.

3. RACES is activated by local, county and state jurisdictions and are the only Amateur Radio operators authorized to transmit during declared emergencies when the President of the United States specifically invokes the War Powers Act. This petition makes available all of these DATA modes immediately, for just such a situation. The FCC could also reconsider issuing special RACES call signs again from the WC# group as before, if it so chooses.

## II. BACKGROUND

The justification for expediting the existing Rule Makings RM-11708 and RM-11759, as well as WT 16-239, is to facilitate the use of faster wide band digital HF communications, including email specifically for Emergency Communications. Much discussion has ensued regarding the casual or commercial business uses, such as purchasing parts for sailing vessels using such amateur email servers. This petitioner is herein requesting a narrowly targeted Rule Making that addresses that Emergency Communications application, and that application alone. The existing contentious Rule Makings are overly broad, and have consequences that have not yet been evaluated objectively, which is why I filed a petition to dismiss or stay WT 16-239. This petition allows separate discussion of all the objections to NON RACES uses to continue as needed without urgency, while permanently solving the problem of needing modern DATA emissions for Emergency Communications.

**III. CONCLUSION:** I request insertion of the following paragraphs and wording into §97.407

**“§97.407(d) (5) All communications transmitted in RACES must be specifically authorized by the civil defense organization for the area served. Only for RACES civil defense communications may the following additional enumerated emission types may be transmitted:**

**Any CW, DATA, VOICE or IMAGE emission enumerated in table §97.305 Authorized emission types, subject to the limitation: §97.307 Emission standards. (a) No amateur station transmission shall occupy more bandwidth than necessary for the information rate and emission type being transmitted, in accordance with good amateur practice.**

**Additionally, DATA emissions known as Pactor 2, 3, and 4, and STANAG, DSTAR, Codec2, or any other digital modulations are specifically authorized for RACES use only, as spelled out in this section for drills or emergency operations as set forth by Part 97.407 rules.**

**Any such DATA emission shall occupy equal to or less band width than a VOICE channel, as explained in: §97.307 Emission standards. (2) No non-phone emission shall exceed the bandwidth of a communications quality phone emission of the same modulation type. The total bandwidth of an independent sideband emission (having B as the first symbol), or a multiplexed image and phone emission, shall not exceed that of a communications quality A3E emission.”**

Therefore, the foregoing considered, Janis Carson respectfully requests that the Commission issue a Notice of Proposed Rule Making at an early date, proposing to modify Section 97.407 of the Commission' s rules as specified above.

Respectfully submitted,  
/S/

Janis Carson, AB2RA, licensed since 1959, Extra class, ARRL member over 40 years  
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